**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO.2089 OF 2005**

**WITH**

**CIVIL APPLICATION NO.4735 OF 2005**

**IN**

**FIRST APPEAL STAMP NO.8683 OF 2005**

The State of Maharashtra : Appellants.

versus

Shri Gavtya Dhondu Mhatre : Respondent.

Mr.K.K.Tated, AGP, for the State.

Mr.R.R.Salvi for the respondent.

**CORAM : D.G.DESHPANDE,J.**

**DATED : 28th October 2005.**

**ORAL ORDER**

1. So far as Civil Application No.2089 of 2005 is concerned, it is for condonation of delay of 108 days. The advocate for the respondent has

no objection. The delay has been satisfactorily explained. Hence the civil application is allowed. Delay is condoned. Civil Application is disposed of. Appeal is admitted.

2. So far as Civil Application No.4735 of 2005 is concerned, it is for Stay. Appellants/State to deposit the amount of award within 12 weeks from today before the trial court. Ad-interim stay of execution till the appeal is decided. Respondent/claimant is permitted to withdraw the amount against furnishing bank guarantee. Civil Application is disposed of.

**[D.G.DESHPANDE,J]**